

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Implementation of Section 621(a)(1) of the Cable	)	MB Docket No. 05-311
Communications Policy Act of 1984 as Amended	)	
by the Cable Television Consumer Protection and	)	
Competition Act of 1992	)	

**COMMENTS OF LOWELL TELECOMMUNICATIONS CORP.**

Lowell Telecommunications Corporation (LTC) appreciates the opportunity to file comments on the Second Further Notice and Proposed Rulemaking (“FNPRM”) in the above-referenced docket. LTC is the public access television station and community media center in Lowell, MA, the fourth largest city in the State. LTC is a non-profit membership organization with 250 active members. Through a contract with the City of Lowell, LTC operates two public access channels and one government access channel on the Comcast cable TV system, which has about 29,000 subscribers. Our access channels are packed with locally produced programs. One channel is for non-English language programs that serve the diverse immigrant communities in the region, especially Cambodians. It is the only local Khmer language news source for this group that represents 20% of the population of Lowell. Other programs are in Spanish, Arabic, and Portuguese. In 2017 LTC members broadcast 3,800 hours of original programming on the access channels. Our government channel broadcasts six live government meetings each week, a variety of election programming, and informational shows about City programs, safety, health issues, etc. The channel is widely watched on TV, via a web stream, and on-demand from our website.

LTC collaborates with many of the City's non-profit organizations, including the local community college, the University of Massachusetts, the Boys & Girls Club, Girls Inc., and a variety of cultural organizations to teach digital media skills and to help them reach their audience. The non-profit sector and the residents consider LTC a valuable resource.

We strongly oppose the proposal that cable-related in-kind contributions, such as those that allow our programming to be viewed on the cable system, are franchise fees. The City of Lowell relies on the full 5% franchise fees to support its cable-related services, a portion of which pays for almost all of LTC operations. The City would not be able to replace the funds that could be deducted from the franchise fees as a charge for "in-kind" services as the budget for this working class city is always tight. Any reduction in franchise fees would result in a loss of service to this community, which relies heavily on its public channels for local news, government transparency, and vital information.

The City of Lowell negotiates its cable contract in good faith, with the understanding that in return for access to its residents as subscribers and the public rights of way, the cable companies would provide a proven benefit to the residents. This was the intent of the Cable Act of 1984 and its rationale has not changed. Furthermore, any valuation of the cable channels that would be used to offset franchise fees would be arbitrary because the channels are designated specifically for public access and thus have no commercial value.

There is no public benefit for these proposed rules changes. The FCC is tasked with oversight of the communications industry in order to protect the citizens, not to enrich corporations that are already very profitable. The proposed rules would strain City

budgets and further impoverish local independent media across the country. Here in Lowell, the loss of another local news source would be devastating. LTC staff produces a news magazine show with segments covering local issues, elections, events, and the work of non-profit organizations. The purpose of the program is to build community and cross-cultural understanding within the City. There is no other public forum that is so inclusive of all segments of the population. Even a small reduction in revenue from franchise fees would require cutting staff and shutting down our popular programming. The type of programming LTC produces is absolutely not available anywhere else on any platform and is solely for the benefit of the public at large.

We invite the Commission to view for themselves the important benefits provided by local content in PEG programming. This link: <http://bit.ly/2PQjh99> is to a video showing a sample of the programs on LTC channels and the benefits they provide to the public. Comments on the video are from Dr. Robert Forrant, Professor of History at University of MA/Lowell; Sean Daniels, Artistic Director of Merrimack Repertory Theatre; MA State Senator Eileen Donoghue; and Congresswoman Niki Tsongas.

We appreciate the opportunity to add to the record in this proceeding.

Respectfully submitted,

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